

**GREENSBORO MINIMUM HOUSING
STANDARDS COMMISSION**

Regular Meeting

Tuesday September 12, 2006

1:34 p.m.

The Regular Meeting of the Greensboro Minimum Housing Standards Commission was held on Tuesday, September 12, 2006 at 1:45 p.m. in the Council Chamber, Melvin Municipal Office Building.

The following members were present:

Charles Assenco
Larry Standley, Chair
Cynthia Williams
Charles Assenco
Andrew Courts
Jim Burgess

Also present were:

Julius Register, Building Inspector
David Jones, Building Inspector
Lori Loosemore, Building Inspections Team Leader
Mike Williams, Counsel for the Commission
Wanda Hovander, Inspector
Brad Tolbert, Inspector
Chris Jones, Inspector
Ron Parker, Inspector

Chair Standley called the meeting to order and welcomed all in attendance. He also welcomed the Commission's new member Jim Burgess.

1. APPROVAL OF THE MINUTES OF THE LAST MEETING.

The minutes of the August 8, 2006 minutes were approved by unanimous vote.

STAFF AND WITNESSES SWORN OR AFFIRMED:

Staff as well as anyone who wished to speak to any item on the agenda was sworn or affirmed. Chair Standley said should anyone else decide to speak, they could be sworn in at that time.

2. 1507 HIGHLAND AVENUE (83-9-6) – ROBERT BEST, OWNER – IN THE MATTER OF BUILDING VACATED AND CLOSED FOR ONE YEAR OR LONGER. INSPECTORS LOOSEMORE & HOVANDER. (CONTINUED TO DECEMBER MEETING – PROGRESS REPORT REQUIRED AT OCTOBER MEETING)

Inspector Register stated that this property has been vacated and closed for more than one year. The first inspection was done April 28, 2004 and the matter was heard June 7, 2004, the Order was issued June 30, 2004, and the Order expired July 30, 2004. A video tape recording was shown for the Commission members' review. The violations are as follows: accessory structure is unsafe, Unsubstantial; broken glass panes; ceiling finish susceptible to falling; doors inadequately screened; entrance door weather permeable; guards/railings less than 30" high on porch/terrace; insufficiently treated and deteriorative accessory structure; insufficiently treated and deteriorative surfaces; loose sheetrock on ceiling; loose siding; make windows operable; missing guards/rails where the porch/terrace

is 54" high or more; rotted boards on exterior; rotten flooring; unclean/unsanitary accessory structure, ceiling, water closet, bathroom floor; water closet loose; weather permeable exterior wall siding; window sills rotten; windows inadequately screened.

Chair Assenco asked if there was anyone present wishing to speak on this matter.

Robert Best, 929 Benfield Drive, the property owner, was sworn in and stated that he has already invested about \$10,000 and there is a lot of work that needs to be done to finish the project. He feels that he is unable to finish the work himself but he has a gentleman wishing to purchase the property and they have signed an agreement. This gentleman does this type of work and has people that can help him and finish the project within approximately 3 months. The signed agreement was submitted for review.

George Pass was sworn in and stated that he plans to finish the work on this property and hopes to be able to finish it in a timely manner. He estimates the cost to do the repairs are \$10,000 - \$20,000. He feels it will take about ninety (90) days to get the house substantially ready. He would like to have more time but feel he can work within that period of time and the Commission will be satisfied with the work.

Mr. Best added that some of the structural work has already been done.

In response to additional questions, Mr. Pass stated that he is confident that he can have everything completed within 6 months and asked that he be allowed that much time to do this work.

After some discussion Mr. Assenco moved to allow this item to be continued to the December meeting with a time line for completion and complete cost estimates due at the October meeting, seconded by Mr. Burgess. The Commission voted 5-0 in favor of the motion. (Ayes: Assenco, Burgess, Stutts, Standley, Williams Nays: None.)

3. 612 ARLINGTON STREET (17-3-6) JEFFREY NALL, OWNER - IN THE MATTER OF ORDER TO REPAIR OR OTHERWISE DEMOLISH STRUCTURE. QUARTERLY REPORT - INSPECTORS LOOSEMORE & TOLBERT. (CONTINUED 30 DAYS – PROGRESS REPORT REQUIRED IN OCTOBER – STRUCTURE MUST BE SECURED AND OUTSIDE TRASH REMOVED IMMEDIATELY)

Inspector Register stated that the Order on this property has been continued from the May 2005, September 2005, March 2006 hearings. A video tape recording was shown for review by the Commission. The original inspection was March 3, 2004, and an Order issued on May 4, 2004, and that Order expired June 3, 2004. The request is for an Order to Repair or Demolish structure.

In response to questions, Inspector Register stated the violations are as follows: broken ceiling joists; broken glass panes; ceiling finish susceptible to falling in several locations; ceiling joists showing disrepair, exposed wiring; unsafe wiring; flooring worn through; holes in ceiling; holes in interior walls and partitions; holes, crack in floors and air permeable flooring; loose ceiling plaster; loose sheetrock on ceiling; rotten flooring; running water beneath the building; sagging ceiling joists; stiff wood knee piers in place; unclean/unsanitary ceilings, floors and walls; unsound piers; loose water closets; water line broken or leaking; water penetrable toilet or bathroom flooring; and windows inadequately screened.

Chair Standley asked if there was anyone who wished to speak on this property.

Jeffrey Nall, the owner, was sworn in and stated that he appreciates the Commission be patient with them in the past. They have been involved with the City's Housing and Community Development department in regard to the lead abatement program which has severely delayed the work on this house. The contracts have now been signed with ID Development for the lead portion of the remediation. He presented copies for the Commission's review. This includes all of the exterior siding, windows, doors, and roof. They have stabilized the piers under the flooring and replaced the rotten wood on the interior and stripped all the old plumbing and wiring out; replaced all the rotten wood. They are now waiting on an

engineer's report as there is a place inside the structure that is questionable about being engineeringly sound. He is hoping that report will be back next week so they can finish that portion of the project. There is a contract with HCD to be completed with the interior renovations six months after IP Development has completed their work. It will take about 4 months to finish with a budget of about \$50,000.

Inspector Register stated that the volume of work that is necessary for this structure is in excess of the dollar value of the house and he would need to have a permit pulled by a licensed general contractor.

Mr. Nall stated that the contractor will pull the permit tomorrow.

After some discussion Mr. Courts moved that the owner be allowed 30 days, the outside trash is to be removed and the building secured immediately and a progress report to be given at the October meeting, seconded by Mr. Assenco. The Commission voted 5-0 in favor of the motion. (Ayes: Assenco, Burgess, Courts, Standley, Williams. Nays: None.)

Inspector Tolbert asked that the structure be locked up immediately for safety purposes as there have been several police reports issued on the property.

4. 1009 HAYWOOD STREET (57-8-19) – DAVID BEDIZ, OWNER – IN THE MATTER OF ORDER TO DEMOLISH STRUCTURE. INSPECTORS C. JONES, REGISTER & LOOSEMORE. (SIX (6) MONTH EXTENSION WITH 30 DAY PROGRESS REPORT – SECURE STRUCTURE IMMEDIATELY)

Inspector Register stated that this property was first inspected on August 12, 2004, a hearing was held on November 9, 2004, and an Order issued on December 14, 2004. That Order expired January 13, 2005. The violations are as follows: cracks in exterior walls; craw space door to be repaired or replaced; dwelling unit incapable of being adequately heated; electrical power not on at time of inspection; exit doors difficult to operate; exposed and unsafe wiring; holes in exterior walls; holes in interior walls and partitions; inoperable plumbing fixtures; insufficiently treated deteriorative surfaces; windows not operable; missing smoke detectors; repair or replace wiring; unclean/unsanitary ceilings, toilet fixtures, floor, walls; water closet and bathroom floor; weather permeable exterior siding; inadequately screened windows.

Steve Carihfield, 110 Commerce Place, attorney representing the owner, was sworn in and stated that this house is next door to 1007 Haywood Street, which is the house they have been working on for the past several months and that house is virtually completed and ready for the final inspection. There was also some confusion about the proper notice on this property and that has now been cleared up by the Inspections Department. There is no problem with the available funding for this project.

Charles McKinney, project contractor, was sworn in and stated that things are moving along smoothly on this project and they hope to have it completed in a timely manner. He will make sure that the property is secured so no one can enter the property

Kay Deust, 1618 Marion Street, Glenwood Neighborhood, was sworn in and stated that she is very pleased to see the progress that is being made on these properties and the quality of work being done and is proud to have them in her neighborhood.

Mr. Courts moved that this item be continued until the March 2007 meeting, with a 30-day progress report due in October and the structure to be secured immediately, seconded by Mr. Assenco. The Commission voted 5-0 in favor of the motion. (Ayes: Assenco, Burgess, Courts, Standley, Williams. Nays: None.)

5. 3405 CALUMET PLACE - (197-5-8) – MICHAEL AND DEBBIE HODGIN, OWNERS. IN THE MATTER OF UNFIT BUILDING VACATED AND CLOSED FOR ONE YEAR OR LONGER. INSPECTORS PARKER, REGISTER & LOOSEMORE. (UPHOLD INSPECTOR – ORDER TO DEMOLISH ENTERED)

Inspector Register stated that this structure has been vacated and closed for one year or longer. The original inspection was done April 1, 2004, a hearing held on June 21, 2005, with an order to vacate and secure issued on June 21, 2005. That Order expired July 21, 2005. A video tape recording was shown to the Commission. The violations are as follows: accessory structure unsafe and unsound; broken glass panes; ceiling finish is susceptible to falling; cracked cover plate; cover plates missing or loose; cracked or damaged foundation wall; crawl space door repair or replace; doors inadequately screened; no running water, no electrical power; electrical receptacles painted over; entrance door weather permeable; exposed wiring; unsafe/unstable fence; building floors deteriorated; heating equipment inoperable; hole in roof covering; inoperable plumbing fixture; loose ceiling boards; loose floor coverings; loose siding; missing guards and rails; missing UL listed smoke detector; porch floor needs repair or replacement; premise identification missing; privacy lock missing from required interior door; receptacle cracked; repair or replace steps; rotten flooring; seriously rotten floor joists; rotten floor system seals; unclean/unsanitary ceilings, fixtures, floors, walls.

Chair Assenco asked if there was anyone present wishing to speak on this matter.

Debbie Hodgin, 4404 Oakmore Drive, stated that she and her husband own the property. The windows were replaced on the property last summer but vagrants have broken them out and continue to destroy any work that is done there. The property has been boarded up and a new roof was put on it 3 years ago and it has been painted inside. Work has started on the rear porch but has not been completed. They plan to sell the property and ask that they be allowed additional time to finish the work and try to get a buyer for it. Her husband talked to a realtor this week.

Ron Parker, Inspector, was sworn in and stated that he has been working in this area for about 5 months and the boards have been the same on this property. He has not noticed any activity at all other than just cutting the grass. He has not been inside the house and does not know when any of the Inspectors have been inside the structure.

Counsel Williams asked if the video tape recording is a fair and accurate representation of the current condition of the property, if all the property owners or persons in interest received all Notices, Orders or Complaints issued by the Inspection Department; if there were more than five (5) separate types of violations of any of the Minimum Housing Standards; Inspector Hovander was in agreement with all the previous statements and stated that the property was last inspected on September 12, 2006. This property is not a duplex unit.

Counsel Williams asked Inspector Register if all parties in interest properly served with all Complaints, Notices of the hearing issued in this matter, the property located at 3405 Calumet Place has been vacated or closed for one year or longer. Inspector Register stated he agreed with the previous statements.

Counsel Williams asked Inspector Parker if it is his opinion that the property owner has abandoned the intent and purpose to repair, alter or improve the dwelling in order to render it fit for human habitation, if the property is not repaired to meet minimum code standards, it would be inimical to the health, safety, morals and welfare of the people within the City of Greensboro, because the dwelling would continue to deteriorate, will create a fire and safety hazard, will constitute a fire and safety hazard, will constitute a threat to children and vagrants, will attract persons intent on criminal activities, cause or contribute to blight and the deterioration of property values in the area, and render unavailable property and a dwelling that could otherwise be made available to ease the persistent shortage of decent and affordable housing within the jurisdiction of this Commission. Inspector Parker said he agreed with the previous statements. He stated that there are children living in the area.

Mr. Assenco stated that this property is located in a very depressed area and he does not see how the owners could possibly sell the property and expect anyone to invest in the property because of the condition of the neighborhood. He does not think giving any more time on this property would resolve the problems.

After some discussion Mr. Courts moved to uphold the Inspector and an Order to Demolish be entered, seconded by Mr. Assenco. The Commission voted 5-0 in favor of the motion. (Ayes: Assenco, Burgess, Courts, Standley, Williams. Nays: None.)

Chair Standley stated that the property involved in this matter is located at 3405 Calumet Place. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices or Orders issued in this matter in compliance with the law. The property in question was vacated or closed at least one year ago. The property owner has abandoned the intent and purpose to repair the dwelling to render it fit for human habitation. The continuation of the dwelling in its vacated and closed state is detrimental to the health, safety, morals and welfare of the people within the City of Greensboro, because the dwelling will continue to deteriorate, will create a fire and safety hazard, constitute a threat to children and vagrants, attract persons intent on criminal activities, cause or contribute to blight and the deterioration of property values within the area and render unavailable property and a dwelling that can be made available to ease the persistent shortage of decent and affordable housing within the jurisdiction of this Commission.

Based upon the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the property owner will be allowed ninety (90) days from today to repair or demolish and remove the dwelling. If the owner does not make the necessary repairs to correct existing violations within ninety (90) days, the Building Inspector shall proceed with the demolition and removal of the dwelling.

Therefore, it is **Ordered, Resolved and Decreed** by vote of this Commission that: the owner shall repair or demolish said dwelling by December 11th, 2006. That upon the failure of said property to be in full compliance with the Minimum Housing Code by December 11th, 2006, the Building Inspector is hereby ordered to proceed with the demolition and removal of the dwelling

ORDERS TO RESCIND:

Inspector Register stated that the following repairs on the properties have been completed by the owners and the cases have been closed. He asked that the Orders issued for each be rescinded.

- 6. 2508 WESTBROOK STREET (157-5-66) – IRENE PALAMARIS, OWNER – IN THE MATTER OF STRUCTURE REPAIRED BY OWNER. REQUEST TO RESCIND MATTER UPHELD AT JULY 11, 2006 HEARING. INSPECTORS LOOSEMORE & HOVANDER. (ORDER RESCINDED)**
- 7. 2012 SHARONBROOK DRIVE – (293-5-10) – EMANUEL A.G. AGAPION, OWNER – IN THE MATTER OF STRUCTURE REPAIRED BY OWNER. REQUEST TO RESCIND MATTER UPHELD AT JULY 11, 2006 HEARING. INSPECTORS LOOSEMORE & REGISTER. (ORDER RESCINDED)**

8. 4517 LAKE JEANETTE ROAD – (6-352-725-34) – GARY JOBE BUILDERS, INC., OWNER – FORMER PROEPRTY OF LURAIN O. MOREHEAD HEIRS C/O CLARENCE PATTERSON, JR. IN THE MATTER OF STRUCTURE DEMOLISHED BY CITY, AND LEIN SATISFIED BY OWNER. REQUEST TO RESCIND MATTER UPHELD AT NOVEMBER 13, 2001 HEARING. INSPECTORS LOOSEMORE & REGISTER. (ORDER RESCINDED)

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There being no further business before the Commission, the meeting was adjourned at 2:44 p.m.

Respectfully submitted,

Larry Standley, Chair
Greensboro Minimum Housing Standards Commission

LS/jd